

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT WRIGHT *et al*,
Plaintiffs,

v.

ROBERT GOLDSTEIN, in his official
capacity as Commissioner of the Massachusetts
Department of Public Health,
Defendant.

Civil Action No. 3-22-CV-11936

Judge Mark G. Mastroianni

JOINT MOTION TO CONTINUE DEADLINES IN THE SCHEDULING ORDER

Plaintiffs and Defendant jointly move to continue the deadlines in the Scheduling Order (ECF 55) as further specified in this motion, so that they may continue settlement negotiations that (if successful) would resolve all claims in this litigation. The parties state the following in support of this Motion:

1. Pursuant to the Scheduling Order, the parties were scheduled to exchange initial disclosures by June 24, 2024, complete Phase One discovery by December 20, 2024, and file dispositive motions by January 29, 2025. *See* ECF 52 & 55.
2. The parties began to negotiate for a settlement of the case before the initial disclosure deadline of June 24, 2024. Defendants requested to pause discovery obligations, including the exchange of initial disclosures, while settlement discussions are ongoing. Plaintiffs agreed.
3. The parties have since continued to discuss settlement in good faith and have not served discovery requests on one another. While the discussions have continued for longer than anticipated, in part due to the need to coordinate with multiple government agencies, they remain productive.

4. Given the potential for settlement of all outstanding issues in this case, the parties request a continuance of the Scheduling Order's deadlines while they continue to negotiate. Continuing the deadlines would facilitate a negotiated settlement of this case, which would preserve judicial resources. This is the first time the parties are requesting a continuance of the scheduling order deadlines.

5. This Joint Motion is made in good faith, and no party will be prejudiced by a continuance of the applicable case deadlines that the parties jointly request herein.

6. Accordingly, the parties request a continuance of the deadlines in the Scheduling Order such that the new deadlines are as follows: exchange initial disclosures by March 14, 2025; complete Phase One discovery by September 22, 2025; file motions for summary judgment based on Phase One discovery by October 31, 2025; file opposition to motion for summary judgment based on Phase One discovery by December 12, 2025; file replies in support of any motions for summary judgment based on Phase One discovery by December 31, 2025. If this Motion is allowed and settlement negotiations are successful, the parties will promptly notify the Court. If this Motion is allowed and settlement negotiations are not successful, the parties will likewise notify the Court and proceed on the new pretrial schedule as set forth in this Motion.

WHEREFORE, the parties respectfully request that the Court continue the pretrial deadlines in the Scheduling Order as set forth in this Motion.

Respectfully submitted,

ROBERT WRIGHT *et al*, *plaintiffs*,

By their attorneys,

/s/ Sheng Li
Sheng Li, *pro hac vice*

ROBERT GOLDSTEIN, in his official capacity as
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Public Health, *defendant*,

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I certify that counsel for the Defendants conferred with counsel for Plaintiffs, specifically
Kimberly Parr, Esq. The parties were able to reach agreement, as reflected in the joint motion.

/s/ Sheng Li
Sheng Li

Dated: November 27, 2024

CERTIFICATE OF SERVICE

I certify that this document, filed through the Court's ECF system, will be sent
electronically to registered participants and that copies will be sent to non-registered participants
by email on November 27, 2024.

/s/ Sheng Li
Sheng Li

Dated: November 27, 2024